


City of New York, State of New York, County of New York

I, Nathalie Tauchner, hereby certify that the following is, to the best of my knowledge and belief, a true and accurate translation from German into English.


Nathalie Tauchner

LETTERHEAD CITY OF ZUG

Transcript including Claims Authorization

Arbitration Proceedings of Thursday, December 2, 2021, 4PM (File Number 563/21)

In The Matter

Mr. **Zachary James LeBeau**, 348 West 57th Street, #175, New York, NY 10019, USA
represented by attorney Niklaus Glatthard and/or attorney and notary Dr. Melchior Glatthard,
Law Office and Notary Glatthard, Limmatquai 80, 8001 Zuerich

Against

SingularDTV GmbH, Postsrasse 30, 6300 Zug

Present

Justice of the Peace

Johannes Stöckli

Plaintiff

Mr. Zachary James LeBeau, 348 West 57th Street, #175, New York, NY 10019, USA
represented by attorney Niklaus Glatthard, Law Office and Notary Glatthard, Limmatquai 80,
8001 Zürich, duly authorized

Defendant

SingularDTV GmbH, Postsrasse 30, 6300 Zug
Represented by Patrick Allenspach, authorized signatory EU
Assisted by RA Dr. Michael Mraz, Wenger Vieli AG, Dufourstrasse 56, 8034 Zürich

Relating to the following demand:

**Legal Claims of the Plaintiff under the arbitration petition of
(postmark September 25, 2021, receipt at the offices of the Justice of the Peace, Sep-
tember 27, 2021)**

1. The defendant is to be legally liquidated under Art. 821 Abs. 3 OR, the liquidation is to be directed by a neutral liquidator to be determined by the court
2. Potentially, under Art. 821 Abs. 3 OR, a different and for the parties appropriate solution is to be recognized
3. The dissolution of the Defendant, the aforementioned liquidation and, potentially, a different appropriate solution, is to be announced in the commercial register

With costs and consequences of compensation, including taxes, charged to the Defendant

Legal Claims of the Defendant presented orally at the proceedings of December 2, 2021

1. The legal claims of the Defendant are to be completely rejected, the facts are disputed in all regards
2. With costs and consequences of compensation, including taxes, charged to the Plaintiff

With a written petition (submitted during the proceedings of December 2, 2021), the Defendant is raising a counter claim with the following legal claims:

1. The Plaintiff and Counter Defendant shall be compelled under penalty of punishment under Art. 292 of the StGB to transfer to the Defendant and Counter Plaintiff at the latest 5 days after legal effect of the judgement the 12'000.415454144426866188 Ether, located on the Ethereum-Blockchain in the wallet with the address 0xc78310231aA53b-D3D0FEA2F8c705C77730929D8f to the wallet located on the Ethereum-Blockchain with the address 0x62f089a3012d10C35017DF964449432f9 and to pay compensation in the amount of the court-determined decrease in value of the 12'000.415454144426866188 Ether between June 2, 2021 until the date of the judgment together with interest of 5% since June 2, 2021.
2. In case of failure to comply with section 1, the Plaintiff and Counter Defendant shall be compelled to pay in USD to the Defendant and Counter Plaintiff the monetary value, as determined by the court, of the 12'000.415454144426866188 Ether at the time of judgment plus interest of 5% from the judgment date in addition to the court-determined decrease in value of the 12'000.415454144426866188 Ether between June 2, 2021 until the date of the judgment together with interest of 5% since June 2, 2021.
3. The Plaintiff and Counter Defendant shall be compelled to pay to the Defendant and Counter Plaintiff compensation in an amount to be determined (but no less than CHF 2 million).
4. All of the costs and consequences of the compensation shall be at the expense of the Plaintiff and Counter Defendant.

Failure to Agree/Claim Authorization (Art. 209 ZPO)

1. Failure to Agree.
2. Petition of the Plaintiff for the issuance of a claims authorization

The following order is issued:

1. It is determined that the parties have failed to agree (Art. 209 Abs. 1 ZPO)
2. The Plaintiff is issued authorization to file a claim (Art. 211 Abs. 2 lit. B ZPO)

3. After issuance, the authorization permits the filing of a claim within three months at the Kantonsgericht Zug (Art. 209 Abs. 3 ZPO i.V.m. P 27 Abs. 1 GOG). With respect to the complaint, the regulations of Art. 131 ZPO, Art. 221 ZPO (proper proceedings) and Art. 243f ZPO (simplified proceedings) are to be adhered to (see back of document)
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After Issuance of the Authorization to File a Claim, the following is ordered:

1. The failure to agree is registered and the proceeding number 563/21 is canceled as completed with the transcript of the office of the Justice of the Peace (Art. 209 ZPO).
 2. The costs of the arbitration of CHF 500 are to be covered by the Plaintiff. Plaintiff has already paid these costs in advance.
 3. Notification to all parties.
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